

## CONTACT THE PLANNING DEPARTMENT

For more information about the development review process, regulations, and specific applications including schedule, lead reviewer, case number, and public hearing date, call:

### Development Review Division

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760  
301.495.4595

### Information Desk

301.495.4610

[www.MontgomeryPlanning.org](http://www.MontgomeryPlanning.org)  
(click on DAIC)

## FOR ADDITIONAL ASSISTANCE

**The Office of the People's Counsel** is a County government office independent of the Planning Department established to help citizens understand and effectively participate in the development process. The People's Counsel can help with framing community concerns and presenting them to staff and the Planning Board. If you have questions about the plans, the process, or regulations that guide the Planning Board's decisions in the development review process, please call: 240.777.9700

### The Office of the People's Counsel

100 Maryland Avenue, Suite 226  
Rockville, Maryland 20850

[www.montgomerycountymd.gov/peoplescounsel](http://www.montgomerycountymd.gov/peoplescounsel)



# How to Participate Effectively in the Development Review Process



Office of the People's Counsel  
Montgomery County, Maryland



## INTRODUCTION

The **Montgomery County Planning Board** administers the development review process in accordance with the *Zoning Ordinance*, the recommendations in the master plan, and other applicable regulations and guidelines.

## HOW TO FIND OUT ABOUT DEVELOPMENT PROPOSALS

**Pre-submission meeting**—Anyone who wants to develop land must post signs on the site and hold pre-submission meetings. Contact information must be posted, and anyone interested can attend the meetings. The applicant also must send written notice to abutting and confronting property owners, and to homeowners associations and civic associations within a one-mile radius.

**Written notice**—When an application is filed, the applicant sends written notice to those who received the pre-submission notice and others who have e-mailed or written to indicate their interest. New signs also are posted.

**Development Review Committee meeting**—After a plan is filed, the applicant meets with the DRC, an interagency group consisting of Planning staff and representatives of other public agencies. The public can attend, but not speak at DRC meetings. The schedule is posted two weeks in advance at [www.mc-mncppc.org/development](http://www.mc-mncppc.org/development).

**Public Hearing Notice**—When the Planning Board public hearing is scheduled, the Planning Department notifies interested parties.

**Online Agenda and Staff Reports**—The Planning Board agenda is posted ten days in advance along with relevant staff reports at [www.MontgomeryPlanningBoard.org/agenda](http://www.MontgomeryPlanningBoard.org/agenda).

## THE PROCESS

The **applicant** submits a proposal for development. The type of plan submitted – Project Plan, Preliminary Plan of Subdivision, or Site Plan – depends on what is being proposed, how the property is zoned, and the zone's requirements. Even before a proposal is submitted, an applicant is required to post signs on the property and hold meetings with the community to discuss the proposal.

**Planners in the Development Review Division** review the proposal and issue a staff report. Based on an analysis of the proposal's compliance with applicable regulations and guidelines, staff may recommend approval – usually with a list of required conditions – or denial.

Staff schedules the proposal for a Planning Board public hearing. Staff reports are posted online with the Board meeting agendas ten days in advance of the public hearing at [www.MontgomeryPlanningBoard.org/agenda](http://www.MontgomeryPlanningBoard.org/agenda).

The **Planning Board holds a public hearing** to receive testimony from staff, the applicant, and interested parties, and takes action on the proposal. The Planning Board's decisions on Project Plans, Preliminary Plans of Subdivision, and Site Plans are binding.

Throughout this process, the public is encouraged to evaluate the effects of a proposed development on their neighborhood and to participate in the Planning Board's review.

## THE PLANS

The process begins when an applicant files a Project Plan, a Pre-Preliminary Plan, a



Preliminary Plan of Subdivision, or a Site Plan. A planner is assigned to serve as **lead reviewer** for each proposal and coordinates the review according to the *Manual of Development Review Procedures*. The lead reviewer is **the main point of contact** for questions and concerns about submitted plans and can be reached at **301.495.4610**.

A **Project Plan** is required in certain zones where an applicant is requesting additional density in exchange for additional public open space or amenities. Project plans are:

- required in Central Business Districts and areas where increased density warrants the provision of additional public facilities and amenities;
- expected to show conformance with applicable master plans; and
- approved, approved with conditions, or denied by the Planning Board – approval is required before the Record Plat can be filed or a building permit can be issued.

A **Pre-Preliminary Plan** is an optional application to determine whether a site is suitable for a certain type and/or scale of development or whether specific elements, such as the location of a driveway, are acceptable. A pre-preliminary plan:

- contains a generalized layout of streets and lots;
- may be reviewed by the Planning Board at a public hearing at the applicant's request—depending on the type of submission, the Board's decision may or may not be binding; and
- makes a property eligible for septic testing.

A **Preliminary Plan of Subdivision** divides a tract of land into building lots, streets, and open space and is required in all zones. It shows a proposed development's relationship to its neighbors. A preliminary plan:

- contains specific lot and street layout and includes details such as utilities and the adequacy of public infrastructure;

- must conform with environmental and transportation regulations; and
- can be approved, approved with conditions, or denied by the Planning Board—approval is required before the lots can be recorded in the land records or a building permit can be issued.

A **Site Plan** is a detailed review of building location, landscaping, lighting, and other elements of a proposed development, and is:

- required in certain zones or when exceptions to regulations are requested; and
- approved, approved with conditions, or denied by the Planning Board—approval is required before a building permit can be issued.

## THE REVIEW

The lead reviewer analyzes the application based on the requirements of the *Zoning Ordinance* and other applicable regulations and guidelines, and receives input from the Planning Department's master planning, environmental, transportation, and historic preservation staffs, other agencies, and the community.

The lead reviewer arranges for the **Development Review Committee** (DRC) to review the plan and meet with the applicant. The DRC is an interagency task force of representatives from public agencies and utilities such as WSSC, PEPCO, the State Highway Administration, and the County departments of Permitting Services, Environmental Protection, and Public Works and Transportation.

To address concerns received from the staff, DRC, or the community, **an applicant will often submit a revised plan** that must be analyzed again by staff.

**Individuals or community representatives** are encouraged to work with staff and the applicant throughout the review process to resolve issues. You can meet with the lead reviewer to discuss relevant issues and check on the status of reviews and revisions. You can submit written or e-mailed comments to the lead reviewer at any



time during the plan review process and they will become part of the official record.

## EFFECTIVE PARTICIPATION

You have the opportunity to voice your concerns and opinions about a proposed development to the Planning Board. Here's how you can effectively participate in the Planning Board's consideration of a proposed subdivision plan, site plan, or project plan. Don't miss your chance to have your say about what's going on in your community!

- **Find out what is proposed** – call the phone number on the sign or the Planning Department at 301.495.4595 or 4610. Get the name and phone number of the Lead Reviewer assigned to the application.
- **Community Coordination** – contact your neighbors and your area citizens association. Discussion of mutual problems, concerns, and issues involved with a proposed application is a basic step. Community and association meetings are an important step in reaching a unified position, assigning tasks, and coordinating a response to an application.
- **Lead Reviewer** – contact the Lead Reviewer to get information about the application and the other staff that will be involved in the evaluation of the case.
- **Meet Applicant** – to discuss the application, obtain basic information, clarify issues, get responses to questions and possibly resolve problems.
- **Express Your Views** – schedule meetings with staff to present your views, issues, and questions.
- **Attend DRC** – to hear applicant's responses to positions, to issues and questions of Planning Department staff and other government agencies.
- **Submission to Staff** – provide issues, questions and analyses in writing to the Lead



Reviewer for inclusion in the staff report to the Planning Board.

- **Testify to Planning Board** – prepare written and oral testimony on relevant issues related to the application for presentation to the Planning Board.
- **Relevant Issues** – area master plans and the zoning ordinance determine whether and how a property can be developed. For a specific application, your comments should address issues such as:
  - The application's effect on existing and proposed adjacent properties and the neighborhood
  - The environmental impact of the application
  - The traffic impact of the application
  - The adequacy of vehicular and pedestrian circulation and access
  - The application's conformity with the applicable development standards, such as setbacks, height, bulk, and scale
  - Conformity of the application with the Master Plan
  - Conformity of the application with the applicable regulations that guide the Planning Board's decision on the application
  - Adequacy of proposed open space, recreation, and conservation areas
  - Whether existing or programmed public facilities, such as roads, water, and sewer are adequate to support the application (decisions on the adequacy of school capacity are made by the County Council, not by the Planning Board).